



(Ireland.)

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TO

Encourage the providing of improved Dwellings
for the Labouring Classes in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

- W**HEREAS it would encourage the providing of improved Dwellings for the Labouring Classes in Ireland if the simple Remedy for recovering Possession upon the Determination of the Tenancy under “The Summary Jurisdiction (Ireland) Act, 1851,” at present applicable to certain small Tenements in Fair and Market Towns, were made generally applicable to all Tenements of the like Description, wherever situated, but upon Condition that they shall have had at least certain primary Requisites for the Comfort and Health of the Tenants: Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:
- I. The Fifteenth Section of the said recited Act relating to Small Tenements shall hereafter be applicable to the Recovery of the Possession of any Tenement which shall have consisted of the whole or Part of a Dwelling House:
- Which shall have been held without any Land, or with not more than *Half an Acre* of Land as a Garden or cultivated Allotment:
- [Bill 149.]
- And
- Provided,*
Effectiveness of applying a simple Remedy for the Tenants to Dwellings of the Labouring Classes, when provided with Requisites for Comfort and Health.
- I.*
Recovery of Possession.
- Summary Jurisdiction Act to apply to the following Tenements, Dwellings, With or without small Pieces of Land.*

Of what Tenure.	And of which the Tenure shall have been at Will, or for any Term not exceeding <i>One Year</i> :	
At what Rent.	And of which the Rent shall not have exceeded the Rate of <i>Twenty Shillings</i> per Month (when situated in any Town), or of <i>Ten Shillings</i> per Month (when situated in the Country):	5
But which shall have had certain Requisites.	Provided, that it shall be proved, upon the Hearing of the Case, that the said Tenement was visited by the Landlord or his Agent within <i>One Week</i> previous to his last Acceptance of Rent for the same, and that not only then, but habitually during the preceding <i>Three Months</i> , (or during the Tenancy, when it shall have commenced within that Period) the said Tenement had bona fide the following Requisites, viz. :—	10
1. Chimneys.	1. A sufficient Chimney built of Stones or Bricks, and Mortar :	
2. Windows.	2. A sufficient external Window, with a moveable glazed Sash for the Admission of Air, in each inhabited Room :	
3. Separate Rooms.	3. At least <i>Two</i> separate Rooms, when the Tenement shall have been inhabited by a greater Number of Individuals than <i>Two</i> , not being all of the same Sex :	15
4. Privies.	4. A sufficient Privy :	
5. Fronts clear of Pigsties, Dung-hills, &c.	5. A Breadth of at least <i>Twenty Feet</i> immediately in front of the Dwelling and extending its whole Length, clear of any Pigsty, or Dung-hill, or uncovered Sewer, or Pool of stagnant Water :	
But Act may apply where Absence of Requisites is caused by wilful Default of Tenant.	Provided always, that nothing herein contained shall be deemed to prevent the Application of the said Section to any such Tenement, although it may not have had such Requisites at such Times, where the Justices shall be satisfied that the Landlord had taken due care to provide them, but that their Absence was caused by the wilful Act or Default of the Tenant, with a view to defeat the Landlord :	20
What shall be a sufficient Notice to quit in each Case.	And a written Notice to quit, either delivered to the Tenant, or left for him at his Dwelling, at least <i>One Week</i> in the Case of a weekly Tenancy, or at least <i>One Month</i> in the Case of a monthly or quarterly Tenancy or a Tenancy at Will, or at least <i>Three Months</i> in the Case of a yearly Tenancy, before the Issue of the Summons, shall be deemed a sufficient Notice to determine the Tenancy of any such Tenement, whether such Tenancy shall have been by Agreement in Writing or not.	25
II. Recovery of Rent.	II. It shall be lawful for the Justices, upon the Hearing of the Case (or upon the Hearing of a separate Complaint for Recovery of the Rent, which they are hereby authorized to hear and determine, as to any Tenement which shall have had such Requisites at such Times,) to take an Account of any Rent due by the Tenant to the Landlord, after all just Credits; and to enforce Payment of such Rent by the same Means (but to the same Amounts only) as they could enforce Payment of any Wages, if due by such Landlord to such Tenant, under the Sixteenth Section of the said recited Act relating to Wages :	35
Justices may take an Account of the Rent due by Tenant.		
And enforce Payment in same Manner as Wages due by Landlord.		40
	And	

And in taking such Account the Tenant shall be entitled to Credit for such Sum (if any) as the Justices shall think a fair Compensation for any growing Crop sown or planted by him upon the Tenement, but which would be lost to him by the delivering up of the Possession upon the Determination of the Tenancy:

Compensation
for Crops.

But the Tenant shall be chargeable with such Part of the reserved Rent, in addition to all Rent due to the last Gale Day, as shall be proportioned to the Time during which he shall remain in possession of the Tenement after such Gale Day without the express Consent of the Landlord.

Apportionment
of Rent.

III. It shall be in the Discretion of the Justices to decide what shall be deemed Tenements in Towns and what Tenements in the Country, according to the usual Acceptation of those Terms, the Intent of this Act being that its Provisions shall apply to that Class of Dwellings only which are usually tenanted by the Labouring Classes as Lodgers in Civic Districts and as Cottiers in Rural Districts:

III.
General
Provisions.
As to Dis-
tinction
between Town
and Country.

It shall also be in the Discretion of the Justices to decide whether the said Requisites shall have been sufficient of their Kind, and whether maintained at such Times and in such Manner as shall amount to a bonâ fide Compliance with this Act, the Intent of this Act being, that the Landlord shall not have the Advantage of a summary Remedy where he shall have continued the Tenancy, and accepted the Rent, without having taken due Care that the Dwelling should be effectually and habitually provided with the said Requisites, either by himself or the Tenant, according as the Obligation to do so shall have been agreed upon by the Terms of the Letting:

Extent of Act.
As to Kind of
Tenements.
As to Suf-
ficiency of
Requisites.

Provided always, that nothing in this Act shall be deemed to deprive the Landlord, either before or after the Justices may have declined to interfere, of any Remedy for the Enforcement of his Rights which he might otherwise have in the Superior or other Courts of Law or Equity in Ireland:

As to Duty of
Landlord.

Provided also, that this Act shall not be deemed to interfere in any way with the Jurisdiction established by the said recited Act as to small Tenements situated in Fair and Market Towns, the last Letting of which shall have taken place previous to the passing of this Act.

Small Classes.
But Landlord
not to be
deprived of
other Rem-
edies at Law or
in Equity.

And no Altera-
tion of Juris-
diction in Fair
and Market
Towns as to
Tenements let
before passing
of this Act.

IV. This Act shall be taken and construed, subject to the Interpretation and other Clauses of, and as if it were a Part of, the said recited Act, so far as shall be consistent with the declared Purpose of both Acts.

Act to be
taken as Part
of recited Act.

V. In citing this Act in other Acts of Parliament, or in any legal Instrument or Proceeding, it shall be sufficient to use the Expression "The Cottier Tenant Act, Ireland, 1835."

Short Title of
Act.

VI. This Act shall only extend to Ireland.

Act only to
extend to
Ireland.

Dwellings for Labouring Classes.

(Ireland.)

B I L L

To encourage the providing of improved
Dwellings for the Labouring Classes
in Ireland.

*(Proposed and brought in by
the Right Hon. member for the County
of Wick.)*

Ordered, by The House of Commons, to be Printed,
25 May 1852.

[1852.]

Order 1. 50.